

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TREZ CAPITAL (FLORIDA) CORPORATION, : 20cv9622 (DLC)
Plaintiff, : ORDER
-v- :
NOROTON HEIGHTS & COMPANY, LLC, :
Defendant. :
-----X
-----X
NOROTON HEIGHTS & COMPANY, LLC, :
Counterclaim :
Plaintiff, :
-v- :
TREZ CAPITAL (FLORIDA) CORPORATION, :
Counterclaim :
Defendant. :
-----X

DENISE COTE, District Judge:

As set forth on the record at the telephonic conference held on April 29, 2022, it is hereby ORDERED that the November 17, 2021 motion of the defendant to dismiss the Amended Complaint's second cause of action for attorney's fees for failure to state a claim pursuant to Rule 12(b) (6), Fed. R. Civ. P., is granted.

IT IS FURTHER ORDERED that the defendant's request for discovery in its letter motion of April 12, 2022 is denied.

IT IS FURTHER ORDERED that the defendant shall file a motion seeking a jury trial by **May 20, 2022**. The plaintiff shall file opposition by **June 3**. Any reply shall be filed by **June 10**.

IT IS FURTHER ORDERED this case will be referred to mediation to occur in **June 2022**. The Clerk of Court will contact the parties when a mediator has been selected.

SO ORDERED:

Dated: New York, New York
 April 29, 2022


DENISE COTE

United States District Judge